IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No. 835 of 2004
in
Writ Petition No.l932 of 2002
with
Notice of Motion No.48 of 2005

M/s Boolani Eng Corpn ..... appellants
vs
Mun Corpn of Mumbai and ors.....Respondents

Mr. R.M.Nakhawa i/b V B Dhawan for appellants
Mr.Vinod Mahadik for respondents

CORAM: A.P.SHAH & S.J.VAZIFDAR JJ.

Dated l7.l.2005

P.C:
Heard advocates.

2. Admit. By consent appeal is taken for hearing.

3. The advocate on record for respondent nos.l to 4 waives service.

4. In the light of the order passed by the Division Bench in Appeal No.804 of 2004 we are satisfied that the appeal may be disposed of by the following order:

"The respondent nos l to 4 shall not take any steps in recovery of the amount on the

basis of the revised enhanced assessment until disposal of the writ petition no.2245 of 2004. If the appellants herein (Original writ petitioners) file an undertaking in the writ petition within four weeks from today that in the event of writ petition being dismissed and the revised enhanced assessment being sustained by the learned single Judge, they would pay to the respondent nos.l to 4, the amount of revised enhanced assessment within three months of the decision in the writ petition unless ordered otherwise in appeal that may be filed against the said order."